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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

DARNELLE JONES MARTIN,  
  
Plaintiff,  
  
v.  
  
UNITED STATES OF AMERICA,  
  
Defendant.

Case No.: 2:18-cv-02392-GMN-VCF

**JOINT MOTION TO STAY FOR  
PURPOSES OF SETTLEMENT  
DISCUSSIONS**

Troy K. Flake, Assistant United States Attorney, on behalf of Defendant United States of America, and Justin Wilson, on behalf of Plaintiff Darnelle Jones Martin, submit the following joint motion requesting that this court stay this case for 30 days so that the parties can engage in settlement discussions.

**A. Status Report**

Discovery in this case is set to close **April 27, 2020**. The parties have engaged in extensive written discovery including providing initial disclosures and supplemental disclosures, requesting and producing thousands of pages of documents, subpoenaing numerous third parties, and propounding and responding to interrogatories. The parties have conducted the depositions of six witnesses including the Plaintiff and several treating providers. They have noticed two additional depositions and are collaboratively working on scheduling several more if the parties are unable to reach a settlement agreement.

1           **B.       Settlement Discussions and Request to Stay**

2           The parties are engaged in productive settlement discussions. On February 12, 2020,  
3 Plaintiff made a settlement offer to Defendant. Defendant is in the process of evaluating  
4 this settlement offer and working within its internal process to obtain authority and convey  
5 a counteroffer. Defendant expects to provide its counteroffer within the next 7 to 10 days.

6           In order to avoid the continued expense and burden of litigation, including costly  
7 expert discovery, while the parties are engaged in good-faith negotiations, the parties  
8 jointly request that all deadlines in this case be stayed for 30 days. This will allow them to  
9 obtain authority, exchange offers, and evaluate settlement without incurring additional  
10 litigation costs.

11           At the expiration of 30 days, on Friday, March 20, 2020, the parties will file a status  
12 report to the Court either: (1) notifying the Court that the parties have reached a settlement,  
13 or; (2) providing a proposed discovery plan and scheduling order setting dates by which  
14 they will complete the remaining discovery, file dispositive motions, and file a joint pretrial  
15 order.

16           Respectfully submitted this 19th day of February 2020.

17 POWELL LAW FIRM

NICHOLAS A. TRUTANICH  
United States Attorney

18  
19 /s/ Justin W. Wilson  
JUSTIN W. WILSON, ESQ.

/s/ Troy K. Flake  
TROY K. FLAKE  
Assistant United States Attorney

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21 *Attorney for Plaintiff*

*Attorneys for the United States*

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23 **IT IS SO ORDERED:**

24  
25   
UNITED STATES MAGISTRATE JUDGE

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27 **DATED:** 2-27-2020  
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